

PROCEEDINGS OF THE COMMON COUNCIL
IN REGULAR SESSION
TUESDAY , SEPTEMBER 13 , 19 77

CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

The Common Council of the City of Fort Wayne met in the Council

Chambers Tuesday evening September 13 A.D., 19 77, in
Regular Session. President John Nuckols in the chair,
and Charles W. Westerman Clerk, at the desk, present the following
members _____ viz:

BURNS ✓, HINGA ✓, HUNTER ✓,
MOSES A, NUCKOLS ✓, DONALD SCHMIDT ✓,
VIVIAN SCHMIDT ✓, STIER ✓, TALARICO ✓,
ABSENT _____

COUNCILMAN _____, _____, _____,
_____, _____, _____,

The invocation was given by Reverend Olney Eaton - Saint Matthew's
Lutheran Church

Received report from the City Controller for the month of August,
19 77. Motion made and carried that report be made a matter of record and placed
on file.

The minutes of the last Regular August 9, 19 77,
August 23, 19 77,
Special July 29 & August 1, 19 77,

Session having been delivered to the Council, were, on motion, approved and
published.

MADE A MATTER OF RECORD
DATE 9-13-77 CHARLES W. WESTERMAN, CITY CLERK

CITY CONTROLLER'S AND CITY TREASURER'S MONTHLY FINANCIAL STATEMENT

MONTH OF AUGUST, 1977

FUNDS	BEGINNING BALANCE	RECEIPTS FOR MONTH	TOTAL BALANCE AND RECEIPTS	DISBURSED TO DATE	DISBURSED FOR MONTH	TOTAL DISBURSED	CONTROLLER'S ENDING BALANCE
GENERAL FUND	3,281,653.51	129,489.08	3,411,142.59	9,570,474.25	1,630,943.07	11,201,417.32	1,780,199.52
ELECTRIC	77,256.81	2,230,040.06	2,307,296.87	15,027,219.68	2,269,009.94	17,296,329.62	38,284.93
WATER	32,450.65	1,278,770.50	1,311,221.55	7,551,991.44	1,254,076.64	8,806,068.08	57,144.91
SEWER	36,244.02	9,266,613.96	9,304,857.98	40,650,436.86	9,300,053.63	49,950,490.49	4,804.35
CIVIL CITY PAYROLL FUND	25,758.00	1,903,079.86	1,932,837.86	8,501,548.88	1,828,350.64	10,329,899.52	104,487.22
COOPER TRUST FUND	189.64	0.00	189.64	0.00	0.00	0.00	189.64
R-51 ANTHONY WAYNE BANK	9,684.35	96,293.06	105,977.41	186,758.46	100,675.58	287,434.04	5,301.83
REDEVELOPMENT/M. MAIN ST. PROJ	42,169.25	150,000.00	192,169.25	3,392,691.94	188,613.59	3,581,505.53	3,575.66
CETA	284,510.70	2,101,348.04	2,385,858.74	4,212,581.93	1,412,191.30	5,824,773.23	973,667.44
AVIATION	161,728.58	354,964.71	516,693.29	1,428,725.19	182,736.66	1,611,465.85	333,956.63
PARK GENERAL	157,472.56	573,504.68	730,983.24	3,631,073.83	813,373.32	4,444,447.15	82,390.08
PARK TRUST	38,980.22	298,312.23	259,332.01	1,083,287.39	166,972.03	1,250,259.42	92,359.98
REDEVELOPMENT GENERAL	29,946.52	0.00	29,946.52	56,615.07	9,221.79	65,840.86	20,724.73
R-53 REVOLVING FUND	15,424.54	7,656.96	23,081.50	59,334.68	9,761.24	69,095.92	13,517.26
REDEVELOPMENT DIST. BOND FUND	1,704.01	775.17	2,479.18	235,665.48	0.00	235,665.48	2,483.18
MOTOR VEHICLE HIGHWAY FUND	398,094.51	373,443.63	771,538.14	2,242,648.28	516,441.30	2,759,089.58	255,096.84
	9,879.62	378.00	10,257.62	0.00	0.00	0.00	10,257.62
E.E.C.C.-706 CONTRACT	17,764.52	9.45	17,793.97	21,620.72	6,871.96	28,492.68	10,922.01
PARKING ADMINISTRATION	54,423.07	76,561.45	130,984.52	368,892.48	15,895.45	384,787.93	111,089.07
PUBLIC LIGHTING	135,742.69	0.00	135,742.69	30,582.22	4,800.31	35,382.53	140,543.00
REVENUE-SHARING TRUST FUND	85,898.32	402,872.22	488,770.54	5,078,459.74	418,072.32	5,496,532.06	70,697.61
ANTI RECESSION PNWP	162,056.03	0.00	162,056.03	295,027.95	164.26	295,192.21	161,891.77
HUMANE TRUST	1,601.00	1,601.00	3,202.00	8,347.13	750.00	9,097.13	10,911.76
LOCAL RD. & STS.	241,596.07	341,384.09	582,980.16	1,854,012.31	221,478.64	2,075,490.95	361,501.52
MUNICIPAL UTILITIES PENSION	10,762.60	8,753.38	19,515.98	66,121.91	8,753.36	74,875.27	10,762.62
FIRE PENSION FUND	120,348.31	9,622.19	110,723.12	753,501.31	108,664.71	862,566.02	219,387.83
POLICE PENSION FUND	71,154.56	10,187.23	60,966.75	787,183.88	115,096.21	902,280.09	176,062.96
SANITARY OFFICERS PENSION	12,292.84	0.00	12,292.84	41,773.16	5,785.30	47,558.46	6,507.54
FORT WAYNE ART SCHOOL	112.02	0.00	112.02	0.00	0.00	0.00	112.02
REDEVELOPMENT DISTRICT CAPITAL	379,376.66	0.00	379,376.66	94,264.77	7,253.61	101,618.38	372,125.05
CUMULATIVE CAPITAL IMPROVEMENT	89,119.03	0.00	89,119.03	182,283.42	289.75	182,673.17	88,829.28
FINE ARTS FOUNDATIONS	1,457.43	0.00	1,457.43	19,650.00	0.00	19,650.00	1,457.43
ACCIDENT-REPORT ACCOUNT	17,022.35	1,334.00	18,356.35	10,096.64	13,614.79	23,711.43	4,741.56
PAYROLL PENSION FUND	0.00	229,877.71	229,877.71	1,575,352.21	230,012.42	1,805,364.63	134,71.90
CHIEF PREVENTION BUREAU TRUST	45.90	0.00	45.90	17.10	0.00	17.10	45.90
FT. WAYNE FIREFIGHTING FUND	152,276.13	0.00	152,276.13	252,231.17	50,115.15	302,346.32	102,160.98
PARK CLK. BLDG. FUND	163,792.65	0.00	163,792.65	615,950.00	163,000.00	778,950.00	792.65
SUB. IFA GRANT	0.00	0.00	0.00	93.54	0.00	93.94	0.00
IND. A-14 REDEVELOPMENT	19,924.41	0.00	19,924.41	1,697.29	225.50	1,922.79	19,698.91
OMNIBUS CHIEF CONTROL	56,469.78	11,273.24	67,743.02	60,500.22	13,412.39	74,312.61	54,330.63
CETA PAYROLL FUND	353,791.76	1,263,743.02	909,951.26	3,821,338.53	936,229.95	4,757,568.48	26,278.69
JUNK CAR FUND	7,765.47	3,060.00	10,825.47	1,704.17	286.80	1,990.97	10,538.67
INNER CITY STORM RELIEF PROJ.	1,227.35	0.00	1,227.35	0.00	0.00	0.00	1,227.35
STREET BOND FUND 1975	349,203.71	0.00	349,203.71	1,017,474.72	5,300.00	1,022,774.72	343,903.71
STREET BOND RETIREMENT	160,173.04	0.00	160,173.04	196,200.58	91.96	196,292.54	160,265.00
FEDERAL REVOLVING FUND	13,725.72	18,143.50	31,869.22	60,166.59	11,414.13	71,580.72	20,455.09

CITY CONTROLLER'S AND CITY TREASURER'S MONTHLY FINANCIAL STATEMENT

MONTH OF AUGUST, 1977

FUNDS	BEGINNING BALANCE	RECEIPTS FOR MONTH	TOTAL BALANCE AND RECEIPTS	DISBURSED TO DATE	DISBURSED FOR MONTH	TOTAL DISBURSED	CONTROLLER'S ENDING BALANCE
COMMUNITY RENEWAL PROGRAM	8,567.30-	0.00	8,567.30-	13,614.99	1,849.17	15,464.16	10,816.47-
IPA	0.00	0.00	0.00	58.43	0.00	58.43	0.00
E.D.A. GRANT	27,325.33	0.00	27,325.33	35,417.42	7,906.40	43,323.82	19,418.93
COMMUNITY DEVELOPMENT GRANT	15,310.48-	222,291.30	206,980.82	579,949.74	230,126.57	810,076.31	23,145.75-
RECREATIONAL SUPPORT PROGRAM	2,314.32	0.00	2,314.32	1,187.66	1,423.99	2,611.65	800.33
INVESTMENTS	5,050,000.00-	2,450,000.00	2,600,000.00-	16,199,000.00	1,200,000.00	17,399,000.00	3,800,000.00-
BARR ST. RIVERBANK IMP.-CD&P	2,428.60	0.00	2,428.60	1,536.00	0.00	1,536.00	2,428.60
FIRE PENSION FUND - 5/1/77	144.77	85.44	230.21	0.00	0.00	0.00	230.21
POLICE PENSION FUND - 5/1/77	0.00	683.52	683.52	0.00	0.00	0.00	683.52
TOTALS	494,127.73	23,816,560.68	24,310,688.41	131,882,371.80	23,465,306.44	155,347,678.24	845,381.97
ADJUSTMENTS (EXPLAIN FULLY)							
BALANCE (COL. 7 MUST AGREE WITH COL. 8)							

CITY CONTROLLER'S AND CITY TREASURER'S FINANCIAL STATEMENT

AUGUST, 1977

INVESTMENTS	BEGINNING BALANCE	RECEIPTS FOR MONTH	TOTAL BALANCE & RECEIPTS	DISBURSED TO DATE	DISBURSED FOR MONTH	TOTAL DISBURSED	CONTROLLER'S ENDING BALANCE
(12) UTILITIES-ELEC.	3,550,000.00-	1,850,000.00	1,700,000.00-	12,600,000.00	2,000,000.00	14,600,000.00	3,700,000.00-
(13) UTILITIES-WATER	500,000.00-	500,000.00		3,050,000.00	850,000.00	3,900,000.00	850,000.00-
(14) UTILITIES-SEWER	8,600,000.00-	8,500,000.00	100,000.00-	35,450,000.00	8,050,000.00	43,500,000.00	8,150,000.00-
(17) R-51 A W E	95,000.00-	95,000.00		185,000.00	100,000.00	285,000.00	100,000.00-
(18) RED. W. MAIN ST.	1,150,000.00-	150,000.00	1,000,000.00-	3,000,000.00	125,000.00	3,125,000.00	1,125,000.00-
(20) AVIATION	150,000.00-	150,000.00		725,000.00	100,000.00	825,000.00	100,000.00-
(21) PARK GENERAL	450,000.00-	450,000.00		1,175,000.00	400,000.00	1,575,000.00	400,000.00-
(22) PARK TRUST	200,000.00-	200,000.00		1,335,000.00	125,000.00	1,460,000.00	125,000.00-
(26) RED. DIST. BOND	53,000.00-		53,000.00-	127,000.00		127,000.00	53,000.00-
(28) M. V. H.	200,000.00-	200,000.00		775,000.00	350,000.00	1,125,000.00	350,000.00-
(32) PARKING ADM.	50,000.00-	50,000.00		300,000.00		300,000.00	
(34) REVENUE SHARING	400,000.00-	400,000.00		1,450,000.00		1,450,000.00	
(36) ANTI RECESSION				190,000.00		190,000.00	
(38) LOCAL RD. & STS.	1,000,000.00-	200,000.00	800,000.00-	1,450,000.00	200,000.00	1,650,000.00	1,000,000.00-
(54) FT. WAYNE FIREFIGHTING				200,000.00		200,000.00	
(55) PARK CUMM.				612,000.00	163,000.00	775,000.00	163,000.00-
(80) ST. BOND FUND				650,000.00		650,000.00	
(99) INVESTMENTS	5,050,000.00-	2,450,000.00	2,600,000.00-	16,199,000.00	1,200,000.00	17,399,000.00	3,800,000.00-
TOTAL	21,448,000.00-	15,195,000.00	6,253,000.00-	79,473,000.00	13,663,000.00	93,136,000.00	19,916,000.00-



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

office of the mayor



August 26, 1977

To the Common Council
Gentlemen and Mrs. Schmidt:

Today, August 26, 1977, I have approved the following ordinances passed by Common Council at its regular meeting of August 23, 1977.

(Bill No. A-77-08-01)
APPROPRIATION ORDINANCE NO. A-15-77

AN ORDINANCE transferred certain funds from the Aviation Fund #20 to various lines within the 1977 Aviation Budget

(Bill No. A-77-08-02)
APPROPRIATION ORDINANCE NO. A-16-77

AN ORDINANCE appropriating certain funds from the 1977 Revenue Sharing to the Fort Wayne Horizons Council

(Bill No. A-77-08-03)
APPROPRIATION ORDINANCE NO. A-17-77

AN ORDINANCE appropriating certain funds from the 1977 Revenue Sharing for Smith Field

(Bill No. S-77-08-04)
SPECIAL ORDINANCE NO. S-175-77

AN ORDINANCE approving a certain bid document for aluminum traffic sign blanks for the Traffic Engineering Department

(Bill No. S-77-08-06)
SPECIAL ORDINANCE NO. S-176-77

AN ORDINANCE authorizing the issuance and sale of \$2,000,000.00 First Mortgage

MADE A MATTER OF RECORD
DATE 9-13-77 CHARLES W. WESTERMAN, CITY CLERK



Revenue Bonds, Series 1977, Midwest Refinery Company, Lessee of the City of Fort Wayne, Indiana, for the purpose of defraying the cost of acquiring economic development facilities for lease to Midwest Refinery Company, authorizing the execution of the Lease Agreement, providing for the pledge of revenues for the payment of said bonds, authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues; and authorizing the sale of said bonds

(Bill No. S-77-08-07)
SPECIAL ORDINANCE NO. S-177-77

AN ORDINANCE authorizing the Park Department to proceed with the sale of the former Jefferson Center site

(Bill No. Z-75-12-14)
ZONING MAP ORDINANCE NO. Z-19-77

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. E-2

(Bill No. Z-77-05-13)
ZONING MAP ORDINANCE NO. Z-20-77

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. FF-1

(Bill No. Z-77-06-36)
(as amended)
ZONING MAP ORDINANCE NO. Z-21-77

AN ORDINANCE amending the City of Fort Wayne Zoning Map Nos. A-11 and B-11

(Bill No. S-77-08-20)
SPECIAL ORDINANCE NO. S-178-77

AN ORDINANCE approving Change Order No. 2 in connection with Sewer Resolution No. 844-76

(Bill No. S-77-08-22)
SPECIAL ORDINANCE NO. S-179-77

AN ORDINANCE approving a contract with JOHN DEHNER, INC. for emergency repair of sewer on Guthrie West of Broadway

(Bill No. S-77-08-23)
SPECIAL ORDINANCE NO. S-180-77

AN ORDINANCE approving a contract with Hersey Meter Products for blanket purchase of water meters

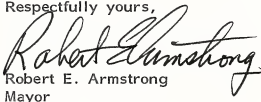
(Bill No. S-77-08-24)
SPECIAL ORDINANCE NO. S-181-77

AN ORDINANCE approving a contract with Allen County Tractor Sales, Inc.
for tractor and equipment for the Water Pollution Control Plant

(Bill No. S-77-08-25)
SPECIAL ORDINANCE NO. S-182-77

AN ORDINANCE approving a contract with Rockwell International Meter for blanket
purchase of water meters

Respectfully yours,

A handwritten signature in cursive script, reading "Robert E. Armstrong". The signature is written in dark ink and is positioned above the printed name and title.

Robert E. Armstrong
Mayor



THE CITY OF FORT WAYNE

August 25, 1977

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

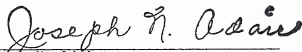
Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-77-06-14

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
25th day of August, 1977.



Joseph N. Adair
Secretary

MADE A MATTER OF RECORD
DATE 9-13-77 CHARLES W. WESTERMAN, CITY CLERK





THE CITY OF FORT WAYNE

August 25, 1977

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their meeting held August 22, 1977. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance:

1. Bill No. Z-77-06-14
2. From "R1" to "B3B"
3. Intended Use: Convenience Food Store
4. Plan Commission Recommendation: This ordinance be PERFECTED TO A "B1B" and DO PASS.

This ordinance received a DO PASS AND PERFECTION TO A "B1B" recommendation for the following reasons:

- a. The Commission feels that the use is compatible with the surrounding uses in the area, however, this type of use is permitted in a "B1B" District, therefore the Commission is requesting this ordinance be perfected to a "B1B".

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING
Division of Long Range Planning and
Zoning

A handwritten signature in cursive script that reads "Gary Baeten".

Gary F. Baeten
Land Use Administrator

GFB:Pr



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on June 14, 1977, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-77-06-14; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on July 18, 1977;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance BE PERFECTED TO A "B1B" District and DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held August 22, 1977.

Certified and signed this 25th
day of August, 1977.



Joseph N. Adair
Secretary



THE CITY OF FORT WAYNE

August 25, 1977

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the vacation of SANDHILL DRIVE.

The proposed ordinance is designated as:

Bill No. G-76-10-27

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
25th day of August, 1977.

Joseph N. Adair
Secretary

MADE A MATTER OF RECORD
DATE 9-13-77 BY CLERK





THE CITY OF FORT WAYNE

August 25, 1977

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one street vacation acted upon by the City Plan Commission at their regular meeting held May 23, 1977. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. G-76-10-27
2. Intended Use: Sandhill Drive is being vacated at the request of the Engineering Departments for the replatting of Earth Industrial Park and to prevent said use of street in residential area.
3. Plan Commission Recommendation: DO PASS subject to retaining utility easements as requested by Water Engineering, Water Pollution Control Engineering, General Telephone Co., Northern Indiana Public Service Co. and Indiana and Michigan Electrica Company.

If there are any questions with regard to this ordinance, please feel free to call on us.

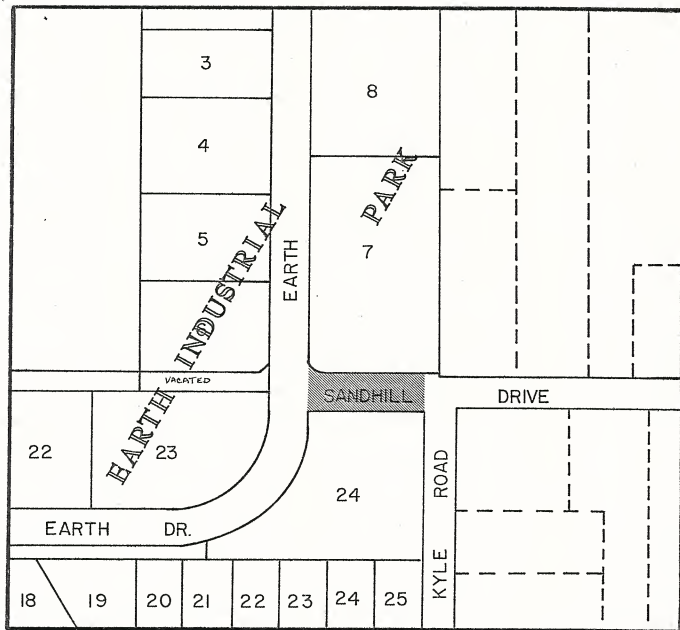
Respectfully submitted,

CITY PLAN COMMISSION

Gary Baeten (pr)
Gary F. Baeten
Land Use Administrator

GFB:Pr





To be vacated (SANDHILL DRIVE)

6-16-76

EE-8

L.S.

G-76-10-27



PETITION TO VACATE PORTION OF SANDHILL DRIVE

TO THE CITY PLAN COMMISSION
CITY OF FORT WAYNE, INDIANA

The City of Fort Wayne, Indiana, by and through its Department of Public Works, does hereby petition the City Plan Commission of the City of Fort Wayne to vacate the following portion of a street located within the City of Fort Wayne, Indiana, and described as follows:

A portion of Sandhill Drive - A street in Earth Industrial Park, a platted subdivision in the City of Fort Wayne. Starting at the eastern right-of-way of Earth Drive and extending to the western right-of-way of Kyle Road, located between Lots # 7 and # 24 of Earth Industrial Park, Section ~~II~~. III. of Earth Industrial Park, Section I

Your petitioners represent that:

1. That they are the owners of all the real estate abutting on both sides of that portion of the street herein sought to be vacated.
2. That this vacation is to comply with the platting of Earth Industrial Park, Section II.
3. That the maintenance of said street is not necessary or advantageous to the growth of the City of Fort Wayne, and that it would be to the best interest of the City and the citizens thereof, as well as the immediately adjoining property owners that said street be vacated as prayed.

Your petitioners file this petition pursuant to the authority granted in Burns Indiana Statutes Annotated, Section 53-744, in order to complete the vacation as above described.

WHEREFORE, your petitioners pray that the above described portion of a street be vacated according to the provisions of the Indiana Law pertaining thereto.

DATED THIS 23 DAY OF July, 1976.

CITY OF FORT WAYNE

BOARD OF PUBLIC WORKS

John H. Corbin
Lot # 7, Earth Industrial Park

Michael J. Sink
Lot # 24 Earth Industrial Park

Mark A. Sink

Henry P. Wehrberg

Edward W. Roman

Max G. Scott

64-25-9 11/18/76

RESOLUTION

WHEREAS, CITY OF FORT WAYNE, INDIANA, have petitioned
(petitioner)
and requested the Fort Wayne City Plan Commission to hold a public
hearing upon the vacation of the following public SANDHILL DRIVE,
in Allen County, Indiana, to-wit:

A portion of Sandhill Drive - A street in Earth Industrial
Park, a platted subdivision in the City of Fort Wayne.
Starting at the eastern right-of-way of Earth Drive and
extending to the western right-of-way of Kyle Road, located
between Lots # 7 and # 24 of Earth Industrial Park, Section III.
of Earth Industrial Park, Section II.

WHEREAS, said vacation of SANDHILL DRIVE has been submitted
to and approved by the following departments of the City of Fort Wayne:
Street Engineering, Traffic Engineering, Water Pollution Control Engineer-
ing, Water Engineering, Park Board, Electrical Engineering, and thru the
Public Utility Companies.

NOW, THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works
that the vacation of said public STREET hereinbefore
described conforms to the general policy and pattern of development set out
in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation
of said public STREET, hereinbefore described be and the
same is hereby approved provided, that the vacation of said SANDHILL DRIVE
shall not have the effect of depriving any public utility using and occupying
said SANDHILL DRIVE at this time of the use of said STREET
for the location and operation of its utility facilities.

APPROVED.

Dated this 18 day of November.

FORT WAYNE BOARD OF PUBLIC WORKS

Henry P. Wehrenburg
Chairman

Edward H. Parnas
Member

May J. Scott
Member

ATTEST:

Mrsula Miller Clerk

RESOLUTION

WHEREAS, G. K. CORBIN, MICHAEL J. SIENK, and THE CITY OF FORT WAYNE, by and through its BOARD OF PUBLIC WORKS, have petition and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public street in Fort Wayne, Allen County, Indiana, to-wit:

A portion of Sandhill Drive - A street in Earth Industrial Park, a platted subdivision in the City of Fort Wayne, starting at the eastern right-of-way of Earth Drive and extending to the western right-of-way of Kyle Road, located between Lot # 7 of Earth Industrial Park, Section # 1, and Lot # 24 of Earth Industrial Park, Section III.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947 of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 18-7-5-46.

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on May 16, 1977, at 7:30 o'clock p.m., and at such hearing there were no objections of any kind or character which should prevent the vacation of said public street.

WHEREAS, said vacation of street has been routed thru the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Park Board, Street Lighting Engineering, and thru the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public street hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public street hereinbefore described be and the same is hereby approved subject to the following:

- a. A minimum of 14 feet permanent easement for sanitary and storm sewers as required by Water Pollution Control Engineering.
- b. Retaining of an easement for water main as required by Water Engineering.
- c. Retaining of easements for existing utility facilities as required by General Telephone Co. of Indiana, Northern Indiana Public Service Company, and Indiana and Michigan Electric Co.

BE IT FURTHER RESOLVED no public utility occupying and using said street or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of streets in Allen County, Indiana.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Joseph N. Adair, Secretary of the Fort Wayne City Plan Commission do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held on May 16,
1977, and as the same appears of record in the official records of said Plan Commission.

DATED THIS 25th DAY OF August, 1977

FORT WAYNE CITY PLAN COMMISSION

Joseph N. Adair

Joseph N. Adair
Secretary



THE CITY OF FORT WAYNE

August 29, 1977

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the vacation of right-of-way of Old Decatur Road.

The proposed ordinance is designated as:

Bill No. G-77-07-31

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
29th day of August, 1977.

Joseph N. Adair
Secretary

MADE A MATTER OF RECORD
DATE 9-13-77 BY CHARLES W.





THE CITY OF FORT WAYNE

August 29, 1977

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one right-of-way street vacation acted upon by the City Plan Commission at their regular meeting held August 22, 1977. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. G-77-07-31
2. Intended Use: To be utilized by abutting property owners of Lot # 40
Gardenview Addition
3. Plan Commission Recommendation: DO PASS

This ordinance received a DO PASS recommendation for the following reason:

- a. The actual street has been relocated. This right-of-way is the property of the City of Fort Wayne. The petitioner cannot rezone and use public property until land goes into private ownership.

NOTE: This petition was previously approved under Bill No. G-77-04-07; but due to legal error, original ordinance was repealed and new ordinance prepared.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

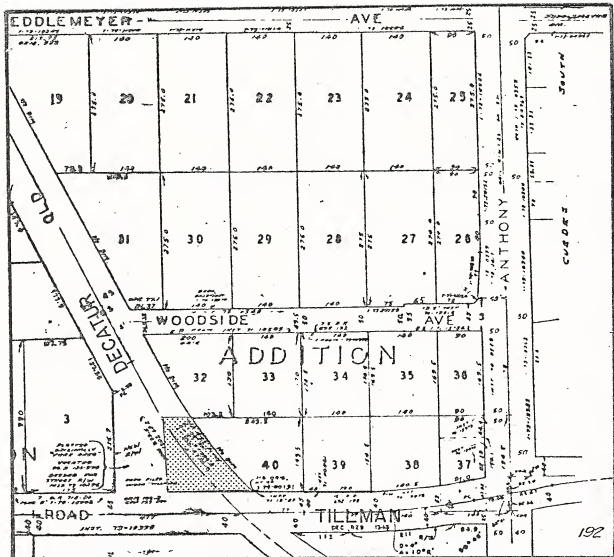
CITY PLAN COMMISSION


Gary F. Baeten (pr)

Gary F. Baeten
Land Use Administrator

GFB:Pr





 To be vacated

3-8-77

C-14

L.S.

~~6-77-04-07~~

6-77-07-31

PETITION TO VACATE PART OF FORMER DECATUR ROAD

TO: THE CITY PLAN COMMISSION, CITY OF FORT WAYNE, INDIANA
THE BOARD OF WORKS, CITY OF FORT WAYNE, INDIANA

The undersigned petitioners do hereby respectfully petition the Fort Wayne City Plan Commission and the Board of Public Works to vacate that portion of Old Decatur Road within the City of Fort Wayne, Indiana adjoining Lot #40 in Gardendale Addition to the City of Fort Wayne, Indiana on the west described in the attached Certificate of Survey.

In support thereof, your petitioners would represent as follows:

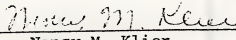
1. That they are the owners of Lot #40 in Gardendale Addition to the City of Fort Wayne, Indiana which the aboved described real estate on the east.
2. That Decatur Road was moved from its former location and now adjoins the above real estate on the west leaving the area between the new location of Decatur Road and Lot #40 in Gardendale Addition to the City of Fort Wayne, Indiana as part of a street right-of-way which is no longer occupied and used for street purposes.
3. The City of Fort Wayne, Indiana has agreed through its Board of Public Works to sell the above described real estate and desire to obtain the vacation of said street so as to be able to convey a merchantable title to the undersigned.
4. That no other person, firm or corporation is interested in or affected by the request of the vacation.
5. That the maintenance of said street is not necessary or advantageous to the growth of the City of Fort Wayne, and that it would be to the best interest of the City and the citizens thereof to vacate the same.

Your petitioners file this petition pursuant to the authority granted in Indiana Code Section 18-7-5-46 in order to vacate the vacation as above described.

WHEREFORE, your petitioners pray that the above described street be vacated according to the provisions of the Indiana Law pertaining thereto.

Dated this 11 day of February, 1977.


Leo A. Klier


Nancy M. Klier

Petitioners, Leo A. Klier and Nancy M. Klier, in support of the attached petition for zoning ordinance amendment would respectfully show the Council:

Since 1964, petitioners have owned Lot 40 Cardendale Addition, which is located at the Northeast corner of the present location of Old Decatur and Tillman Roads, as shown in the drawing attached hereto. Lot 40 is unimproved real estate and is located in a B-1-B District.

The City of Fort Wayne is re-designing the intersection of the two roads so that they will intersect at a 90° angle, and seeks to sell the shaded area as shown on the drawing attached. The appraised value of the area to be sold is \$14,000.00. Petitioners have offered that sum to the City for a conveyance, contingent upon rezoning of the tract to be I-B.

The real estate located West of the present West right-of-way line of Old Decatur Road is zoned R-A. It is uncertain whether or not streets adjacent to real estate carry the same zoning designation as the adjoining real estate or whether streets have any zoning designation whatsoever. Further, it would appear that a small triangular area in the Southwest corner of the shaded area is presently zoned R-A.

The purpose of this petition is elimination of any questions regarding the zoning of the real estate the City seeks to convey and petitioners seek to purchase.

DUNTON, BECKMAN, WYNKEN, LAWSON
& FRUECHTENICHT

BY: 

2410 Fort Wayne Bank Building
Fort Wayne, Indiana 46802
423-1602
Attorneys for Petitioners

R E S O L U T I O N

WHEREAS, LEO A. KLIER and NANCY M. KLIER, have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public right-of-way of Old Decatur Road, situated in Allen County, Indiana, to-wit:

Part of the former right-of-way of Decatur Road (formerly U.S. # 27) in the Southeast Quarter of Section 25, Township 30 North, Range 12 East, Allen County, Indiana, lying Westerly of and adjacent to Lot # 40 in Gardendale Addition to the City of Fort Wayne, and being more particularly described as follows, to-wit:

Beginning at the Northwest corner of Lot # 40; thence N 90°-00' W (assumed bearing) on and along the Westerly projection of the North line of said Lot # 40, a DISTANCE OF 48.1 feet to a point situated 1.0 feet East of an existing concrete sidewalk; thence S 10°-58' E, and parallel to said sidewalk, 101.0 feet to the point of curvature of a regular curve to the right having a radius of 256.2 feet; thence Southeasterly, on and along the arc of said curve and continuing 1.0 feet East of said Sidewalk, 51.1 feet (the chord of which bears S 05°-15' E for a length of 51.02 feet) to the Westerly projection of the North right-of-way line of Tillman Road as established by a dedication of right-of-way across said Lot # 40 as recorded at Document # 71-13783 in the Office of the Recorder of Allen County, Indiana; thence S 90°-00' E, on and along said Westerly projection of said North right-of-way line, being a line situated 40.0 feet (measured at right angles) North of and parallel to the centerline of Tillman Road, 153.0 feet to the Westerly line of said Lot # 40; thence Northwesterly, on and along said Westerly line, being also the Easterly right-of-way line of Decatur Road as defined by a regular curve to the right, having a radius of 1100.92 feet, an arc distance of 197.87 feet (the chord of which bears N 40°-39'-30" W, for a length of 197.6 feet) to the point of beginning, containing 0.326 acres of land

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947 of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 18,7-5-46;

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on Monday, August 15, 1977, at 7:30 o'clock p.m., and at such hearing there were no objections of any kind or character which should prevent the vacation of said public right-of-way;

WHEREAS, said vacation of right-of-way has been routed thru the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board, and thru the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public right-of-way, hereinbefore described, conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public right-of-way hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said right-of-way or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of right-of-ways in Allen County, Indiana.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Joseph N. Adair Secretary of the Fort Wayne
City Plan Commission, do hereby certify that attached hereto is a full
true and correct copy of a resolution adopted by the Fort Wayne
City Plan Commission following a public hearing of said Commission
held on May 16, 1977, and as the same appears of record in the
official records of said Plan Commission.

DATED THIS 29th DAY OF August, 1977

FORT WAYNE CITY PLAN COMMISSION

Joseph H. Adair

Joseph N. Adair
Secretary

64-220-23
5/14/

R E S O L U T I O N

WHEREAS, LEO A Klier AND NANCY M. Klier, have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public street, in Allen County, Indiana, to-wit:

Part of the former right-of-way of Decatur Road (formerly U. S. # 27) in the Southeast Quarter of Section 25, Township 30 North, Range 12 East, Allen County, Indiana, lying Westerly of and adjacent to Lot # 40 in Gardendale Addition to the City of Fort Wayne, and being more particularly described as follows, to-wit:

Beginning at the Northwest corner of said Lot # 40; thence N 90°-00' W (assumed bearing) on and along the Westerly projection of the North line of said Lot # 40, a distance of 48.1 feet to a point situated 1.0 feet East of an existing concrete sidewalk; thence S 10°-58' E, and parallel to said sidewalk, 101.0 feet to the point of curvature of a regular curve to the right having a radius of 256.2 feet; thence Southeasterly, on and along the arc of said curve and continuing 1.0 feet East of said Sidewalk, 51.1 feet (the chord of which bears S 05°-15' E for a length of 51.02 feet) to the Westerly projection of the North right-of-way line of Tillman Road as established by a dedication of right-of-way across said Lot # 40 as recorded at Document # 71-13783 in the Office of the Recorder of Allen County, Indiana; thence S 90°-00' E, on and along said Westerly projection of said North right-of-way line, being a line situated 40.0 feet (measured at right angles) North of and parallel to the centerline of Tillman Road, 153.0 feet to the Westerly line of said Lot # 40; thence Northwesterly, on and along said Westerly line, being also the Easterly right-of-way line of Decatur Road as defined by a regular curve to the right, having a radius of 1100.92 feet, an arc distance of 197.87 feet (the chord of which bears N 40°-39'-30" W, for a length of 197.6 feet) to the point of beginning, containing 0.326 acres of land.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code Section 18-7-5-46, and,

WHEREAS, notice of such public hearing will be given by due and proper publications thereof;

WHEREAS, said vacation of street has been routed thru the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering Electrical Engineering, Park Board and thru the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said public street hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said public street hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said street or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Henry P. Kehrenberg Chairman of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Public Works following a Board of Works Meeting, held on May 16, 1977, and as the same appears of record in the office records of said Board of Public Works.

DATED THIS 16 DAY OF May, 1977

FORT WAYNE BOARD OF PUBLIC WORKS

Henry P. Kehrenberg
Chairman

Edward H. LaMar
Member

May G. Scott
Member



THE CITY OF FORT WAYNE

August 31, 1977

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

MADE A MATTER OF RECORD
DATE 8-3-77 CHARLES W. ...

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the vacation of:

Lots # 4 thru # 10 and all of Grandstand Way, in Speedway
Addition, Section 1.

The proposed ordinance is designated as:

Bill No. G-77-03-08

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
31st day of August, 1977.

Joseph N. Adair

Joseph N. Adair
Secretary





THE CITY OF FORT WAYNE

August 31, 1977

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one street and subdivision vacation acted upon by the City Plan Commission at their regular meeting held July 25, 1977. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved:

1. Bill No. G-77-06-42
2. Intended Use: Subdivision and street will be utilized for commercial uses, and petitioner feels that it be developed in larger plots that is now set out in the present addition. Grandstand Way is now unopened and unimproved.
3. Plan Commission Recommendation: DO PASS subject to the following conditions:
 - a. Required sewer easement 14 feet wide on the east side of Lot # 7 in Speedway Addition as requested by Water Pollution Control Engineering Department.
 - b. Required 14 foot wide utility easement reserved along the south line of Lots # 4, 5 and 6 and the east 14 feet of Lots # 6 and 7 and the east 14 feet of Grandstand Way adjacent to the east line of Speedway Addition, Section I, as required by Indiana and Michigan Electrical Company.

If there are any questions with regard to this ordinance please feel free to call on us.

Respectfully submitted,

CITY PLAN COMMISSION

Gary Baeten (pr)

Gary F. Baeten
Land Use Administrator

GFB:Pr



PETITION TO VACATE SPEEDWAY ADDITION
SECTION 1, PLAT BOOK 32, PAGES 11-12
ACCORDING TO THE RECORDED PLAT THEREOF
FILED IN THE OFFICE OF THE RECORDER OF ALLEN COUNTY

The undersigned petitioner does hereby respectfully petition to the Fort Wayne City Plan Commission to vacate the following subdivision within the City of Fort Wayne, Indiana, more particularly described as follows:

Lots # 4 thru # 10, and all of Grandstand Way, in Speedway Addition, Section 1, Plat Book 32, Pages 11-12, according to the recorded plat thereof filed in the Office of the Recorder of Allen County, Indiana.

In support thereof, your petitioner represents as follows:

1. That he is the owner of all the real estate in said addition.
2. That Grandstand Way is unopened and unimproved.
3. That no other person, firm or corporation is interested or affected by the requested vacation.
4. That said property's highest and best use is for commercial purposes and it would be to the best interests of the City of Fort Wayne that it be developed for commercial uses in larger plots than is now set out in the present addition.

5. Your petitioner files this petition pursuant to the authority granted in I.C. § 18-7-5-46 in order to complete the vacation of the above-described property.

WHEREFORE, your petitioner prays that the above-described plat be vacated according to the provisions of the Indiana Law pertaining thereto.

Dated this 26th day of May, 1977.

Charles D McKinley

Owner of Fee Simple Title

C. G. W. D.

Contract Buyer

R E S O L U T I O N

WHEREAS, CHARLES E. DOWNEY (Contract Buyer) and CHARLES D. MCKINLEY (Owner of Fee Simple Title), have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following described subdivision and street, in Fort Wayne, Allen County, Indiana, to-wit:

Lots # 4 thru # 10 and all of Grandstand Way, in Speedway Addition, Section 1, Plat Book 32, Pages 11-12, according to the recorded plat thereof filed in the Office of the Recorder of Allen County, Indiana.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code Section 18-7-5-46, and,

WHEREAS, notice of such public hearing has been given by due and proper publications thereof;

WHEREAS, said vacation of street and subdivision has been routed thru the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Lighting Engineering, Park Board, and thru the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said public street and subdivision, hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said public street and subdivision, hereinbefore described and the same is hereby approved subject to the following:

- a. Required sewer easement 14 feet wide on the east side of Lot # 7 in Speedway Addition as requested by Water Pollution Control Engineering Department.
- b. Required 14 foot wide utility easement reserved along the south line of Lots 4, 5 and 6 and the east 14 feet of Lots 6 and 7 and the east 14 feet of Grandstand Way adjacent to the east line of Speedway Addition, Section 1, as required by Indiana and Michigan Electrical Company.

BE IT FURTHER RESOLVED no public utility occupying and using said street and subdivision or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

STATE OF INDIANA }
COUNTY OF ALLEN } SS:

I, Henry P. Wehrenberg, Chairman of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Public Works following a Board of Works Meeting held on August 29, 1977, and as the same appears of record in the official records of said Board of Public Works.

DATED THIS 29 DAY OF August, 1977

FORT WAYNE BOARD OF PUBLIC WORKS

Henry P. Wehrenberg
Henry P. Wehrenberg, Chairman

Ethel H. LaMar
Ethel H. LaMar, Member

Max G. Scott, Member

R E S O L U T I O N

WHEREAS, CHARLES E. DOWNEY (Contract Buyer) and CHARLES D. MCKINLEY (Owner of Fee Simple Title), have petitioned and requested the Fort City Plan Commission to hold a public hearing upon the vacation of the following public street and subdivision, in Fort Wayne, Allen County, Indiana, to-wit:

Lots # 4 thru # 10 and all of Grandstand Way, in Speedway Addition, Section 1, Plat Book 32, Pages 11-12, according to the recorded plat thereof filed in the Office of the Recorder of Allen County, Indiana.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947 of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 18-7-5-46.

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on July 18, 1977, at 7:30 o'clock p.m., and at such hearing there were no objections of any kind or character which should prevent the vacation of said public street and subdivision.

WHEREAS, said vacation of street and subdivision has been routed thru the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Lighting Engineering, Park Board and thru the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said subdivision and street hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public street and subdivision hereinbefore described be and the same is hereby approved, subject to the following:

- a. Required sewer easement 14 feet wide on the east side of Lot # 7 in Speedway Addition as requested by Water Pollution Control Engineering Department.
- b. Required 14 foot wide utility easement reserved along the south line of Lots # 4, 5 and 6 and the east 14 feet of Lots # 6 and 7 and the east 14 feet of Grandstand Way adjacent to the east line of Speedway Addition, Section 1, as required by Indiana and Michigan Electrical Company

BE IT FURTHER RESOLVED no public utility occupying and using said subdivision and street or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of streets and subdivisions in Allen County, Indiana.

STATE OF INDIANA)
COUNTY OF ALLEN) SS:

I, JOSEPH N. ADAIR, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held July 25, 1977, and as the same appears of record in the official records of said Plan Commission.

DATED THIS 31st DAY OF August, 1977

FORT WAYNE CITY PLAN COMMISSION

Joseph N. Adair
Joseph N. Adair
Secretary



THE CITY OF FORT WAYNE

August 31, 1977

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

MADE A MATTER OF RECORD
DATE 9-13-77 CHARLES W. WENTZMAN, CITY CLERK

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-75-10-13.

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
31st day of August, 1977.

Joseph N. Adair

Joseph N. Adair
Secretary





THE CITY OF FORT WAYNE

August 31, 1977

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held May 23, 1977. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance.

1. Bill No. Z-75-10-13
2. From "R1" to "B1B"
3. Intended Use: Restaurant
4. Plan Commission Recommendation: DO PASS

This ordinance received a DO PASS recommendation for the following reason:

- a. The Plan Commission requested the petitioners to work with the owners of the Bowman Shopping Center in possibly amending the boundary of the center to include these lots. As an agreement was not reached, the Plan Commission gave a DO PASS, as they felt this property was not suitable for residential usage, and is compatible with the surrounding commercial uses on the ByPass.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

CITY PLAN COMMISSION

Gary F. Baeten
Land Use Administrator

GFB:Pr



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on October 14, 1975, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-75-10-13; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

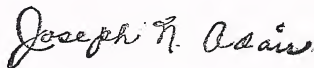
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on November 17, 1975;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held May 23, 1977.

Certified and signed this
31st day of Augst, 1977.



Joseph N. Adair
Secretary

STATE		BLVD.										
RI GARDEN	VIEW 22	ADD. 21	41	42		44	45	46	47	48		
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						38		112	109		50	
						37		113	108		51	
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						35		115	106		53	
						34		116	105		54	
						33		117	104		55	
						32		118	103		56	
								119	102		57	
						31		FOREST			AVE.	
						30		120	101		58	
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						28		122	99		60	
						27		123	98		61	
						26		124	97		62	
						25		125	96		63	
						24		126	95		64	
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								DEL AWARE			AVE.	
								COLISEUM				
								BLVD.				
								NORTH				
					BLVD.							
					DR.							
					INWOOD							

C CHANGE FROM RI TO BIB

2-75-10-13





THE CITY OF FORT WAYNE

COMMUNITY DEVELOPMENT & PLANNING

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

September 12, 1977

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the City
of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

MADE A MATTER OF RECORD

DATE 9-13-77 CHARLES W. V. COTTON, JR., CITY CLERK

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-77-05-10

Respectfully submitted

CITY PLAN COMMISSION

Certified and signed this
12th day of September, 1977.

Joseph N. Adair
Secretary



THE CITY OF FORT WAYNE

COMMUNITY DEVELOPMENT & PLANNING

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

September 12, 1977

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held June 27, 1977. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance.

1. Bill No. Z-77-05-10
2. From "R2" and "B1B" to "B3B"
3. Intended use: Expansion of Koester Body Shop which is presently under a legal non-conforming use.
4. Plan Commission Recommendation: DO PASS

This ordinance received a DO PASS recommendation for the following reason:

- a. Koester Body Shop is presently a legal non-conforming use. For an expansion of this body shop a rezoning was necessary. The Plan Commission felt this would not be detrimental to the surrounding area.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

CITY PLAN COMMISSION

Gary F. Baeten
Land Use Administrator

GFB:Pr

ATT.

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on May 10, 1977, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-77-05-10; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on June 20, 1977;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall city plan.

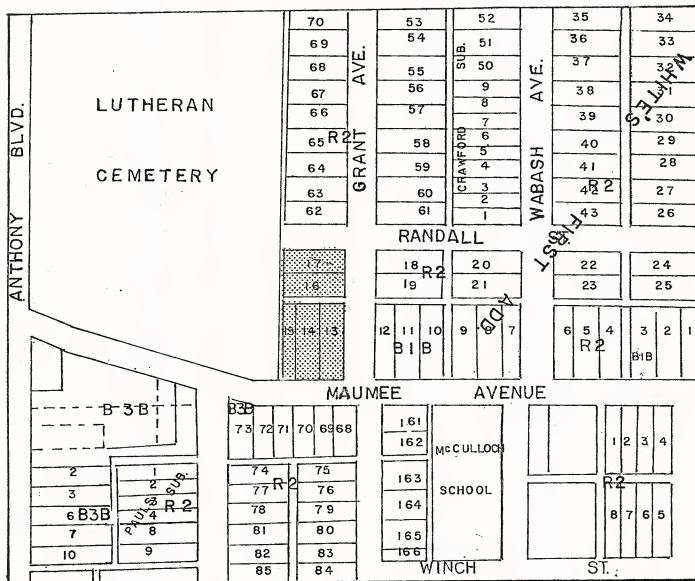
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held June 27, 1977.

Certified and signed this
12th day of September, 1977.

Joseph N. Adair

Joseph N. Adair
Secretary



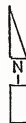
REZONE FIVE LOTS

2 - R2 TO B3B

3 - BIB TO B3B

MAP NO. D-3

2-77-05-10



MADE A MATTER OF RECORD
DATE 9-13-77 CHARLES W. WESTERMAK CITY CLERK

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of
Public Safety Regulatory Resolution Numbers: 48/77/E and
49/77/E

For the purpose of enforcement, please make this communication
and the attached Regulatory Resolutions a matter of record and
incorporate them into the minutes of the next Common Council
Meeting.

Respectfully submitted,



John C. Lewton
Executive Secretary
Board of Public Safety

REGULATORY RESOLUTION NO. 48/77 /E

(Adopted September 8, 19 77)

WHEREAS, Section 20(a) (3), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to NO PARKING (EMERGENCY) AND DELETE: ONE WAY STREET (EMERGENCY)

_____ ; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated September 7, 19 77, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 20 (a) (3) of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55. adopted FEB. 14, 1961. to make experimental regulations to cover special conditions, it is hereby ordered, effective September 8,

19 77, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

DELETE:

ONE WAY STREET (EMERGENCY)

College St. -- southbound -- from Berry St. to Washington Blvd.

NO PARKING (EMERGENCY)

Berry St. -- north side -- from Maiden Lane to Ewing St.

REGULATORY RESOLUTION NO. 49/77/E

(Adopted September 8, 19 77)

WHEREAS, Section 20(a) (3), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to DELETE: 90 MINUTE PARKING 8:00 AM-6:00 PM (EMERGENCY)
DELETE: TWO HOUR PARKING 8:00 AM - 6:00 PM (EMERGENCY)

_____ ; and,

WHEREAS, the City Traffic : Engineer has, by written memorandum dated September 7, 19 77, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 20 (a) (3) of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55. adopted FEB. 14. 1961. to make experimental regulations to cover special conditions, it is hereby ordered, effective September 8,

19 77, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

DELETE:
90 MINUTE PARKING 8:00 AM - 6:00 PM (EMERGENCY)

Douglas Ave. -- both sides -- from Webster St. to McClellan St.
Baker St. -- north side -- from Harrison St. to Webster St.

DELETE:
TWO HOUR PARKING 8:00 AM - 6:00 PM (EMERGENCY)

Webster St. -- west side -- from Douglas Ave. to Baker St.

RETURN CERTIFICATE

(Regulatory Resolution No. ^{48/77/E}49/77 /E)

I hereby certify that I did this 8th day of September, 1977 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, The City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana, respectively, a copy of the within Regulatory Resolution No. ^{48/77/E}49/77 /E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Secretary of said Board, in accordance with the provisions of Section 20 (a) of Chapter 31, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance G-55, adopted FEB. 14, 1961.



EXECUTIVE SECRETARY

MADE A MATTER OF RECORD
DATE 9-13-77 CHARLES W. WESTERMAN, CITY CLERK

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of
Public Safety Regulatory Resolution Numbers: 47/77/E

For the purpose of enforcement, please make this communication
and the attached Regulatory Resolutions a matter of record and
incorporate them into the minutes of the next Common Council
Meeting.

Respectfully submitted,



John C. Lewton
Executive Secretary

REGULATORY RESOLUTION NO. 47/77/E

(Adopted August 30, 1977)

WHEREAS, Section 20(a) (3), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to NO PARKING (EMERGENCY)

; and,

WHEREAS, the City Traffic : Engineer has, by written memorandum dated August 29, 19 77, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 20 (a) (3) of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55. adopted FEB. 14, 1961. to make experimental regulations to cover special conditions, it is hereby ordered, effective August 30, 19 77, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

NO PARKING (EMERGENCY)

North Anthony Blvd. -- east side -- from Glenwood Ave.
to Crescent Ave.

RETURN CERTIFICATE

(Regulatory Resolution No. 47/77/E)

I hereby certify that I did this 30th day of August, 19 77 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, The City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana, respectively, a copy of the within Regulatory Resolution No. 47/77/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Secretary of said Board, in accordance with the provisions of Section 20 (a) of Chapter 31, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance G-55, adopted FEB. 14, 1961.

John C. Lenton

EXECUTIVE SECRETARY

MADE A MATTER OF RECORD
DATE 9-13-77 CHARLES W. WESTERMAN, CITY CLERK

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of
Public Safety Regulatory Resolution Numbers: 46/77/D

For the purpose of enforcement, please make this communication
and the attached Regulatory Resolutions a matter of record and
incorporate them into the minutes of the next Common Council
Meeting.

Respectfully submitted,



John C. Lewton,
Executive Secretary
Board of Public Safety

REGULATORY RESOLUTION NO. 46/77/D

(Adopted August 26, 19 77)

WHEREAS, Section 20 (a) (2), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55, adopted FEB. 14, 1961, authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 14 of said chapter as so amended delegates to this Board authority to PREFERENTIAL
INTERSECTION (DELEGATED)

_____ ; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated 25 August, 19 77, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority delegated to this

Board by Section 14 of Chapter 31, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55 adopted FEB. 14, 1961. it is hereby ordered, effective August 26, 19 77, and when signs are erected pursuant hereto giving notice thereof, that **THE FOLLOWING BE ESTABLISHED:**

PREFERENTIAL INTERSECTION (DELEGATED)

River Forest Drive -- preferential -- at Northlawn Drive
Leroy Ave. -- preferential -- at Lawndale Drive

RETURN CERTIFICATE

(Regulatory Resolution No. 46/77/D)

I hereby certify that I did this 26th day of August, 1977 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, The City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana, respectively, a copy of the within Regulatory Resolution No. 46/77/D of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Secretary of said Board, in accordance with the provisions of Section 20 (a) of Chapter 31, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance G-55, adopted FEB. 14, 1961.

John C. Lawton

EXECUTIVE SECRETARY

WILLIAM A. MATTHEWS, CLERK
DATE 9-18-77 WILLIAM W. WESTMAN, CITY CLERK

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of
Public Safety Regulatory Resolution Numbers: 45/77/E

For the purpose of enforcement, please make this communication
and the attached Regulatory Resolutions a matter of record and
incorporate them into the minutes of the next Common Council
Meeting.

Respectfully submitted,

John C. Lewton

John C. Lewton,
Executive Secretary
Board of Public Safety

REGULATORY RESOLUTION NO.45/77/E

(Adopted August 25 , 19 77)

WHEREAS, Section 20(a) (3), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No.G -55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to 90 MINUTE PARKING 8:00 AM-6:00 PM EXCEPT SATURDAY AND SUNDAY

(EMERGENCY)

_____ ; and,

WHEREAS, the City Traffic : Engineer has, by written memorandum dated August 23, 19 77, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 20 (a) (3) of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G -55. adopted FEB. 14. 1961. to make experimental regulations to cover special condi-

tions, it is hereby ordered, effective August 25 ,

19 77 , and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

90 MINUTE PARKING 8:00 AM-6:00 PM EXCEPT SATURDAY AND SUNDAY (EMERGENCY)

Leroy Ave. -- both sides -- from Lynn Ave. to Dodge Ave.

Lynn Ave. -- both sides -- from Leroy Ave. to Carew St.

RETURN CERTIFICATE

(Regulatory Resolution No. 45/77 /E)

I hereby certify that I did this 25th day of August, 19 77 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, The City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana, respectively, a copy of the within Regulatory Resolution No. 45/77 /E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Secretary of said Board, in accordance with the provisions of Section 20 (a) of Chapter 31, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance G-55, adopted FEB. 14. 1961.

John C. Lewter

EXECUTIVE SECRETARY

THE COUNCIL THEN ADJOURNED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday the 13th day of September, 19 77 that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this _____ day of _____, 19 ____.



Charles W. Westerman
City Clerk